

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GEOFFREY PESCE,

Plaintiff,

v.

KEVIN F. COPPINGER, in his official
capacity as Essex County Sheriff,
AARON EASTMAN, in his official
capacity as Superintendent of the Essex
County House of Corrections - Middleton,

Defendants.

C.A. No. 1:18-cv-11972-DJC

JOINT MOTION TO STAY PROCEEDINGS

Plaintiff and Defendants respectfully move for a stay of all proceedings in the above-captioned matter for sixty days until June 11, 2019. As grounds for this motion, the parties state the following.

On September 19, 2018, Mr. Pesce initiated this action against Essex County Sheriff, Kevin Coppinger, and Superintendent of the Essex County House of Corrections – Middleton, Aaron Eastman. ECF No. 1. Mr. Pesce alleged violations of the Eighth Amendment and the Americans with Disabilities Act, and sought declaratory and injunctive relief to require Defendants to provide him with access to his physician-prescribed methadone treatment for his opioid use disorder throughout his pending incarceration in Defendants’ custody. ECF No. 1. On November 26, 2018, this Court issued a preliminary injunction, ordering Defendants to provide Mr. Pesce with continued access to his physician-prescribed methadone treatment during his incarceration. ECF No. 57.

Mr. Pesce was taken into custody on February 15, 2019. Defendants' provided him with continued access to his physician-prescribed methadone treatment throughout his incarceration. Mr. Pesce was released on April 12, 2019. The parties now seek a stay to facilitate settlement discussions regarding attorney's fees and costs that they hope will resolve this matter. The parties will provide the Court with a status update after the settlement discussions have taken place, and in any event no later than June 11, 2019. If settlement is unsuccessful, the parties will submit a joint proposal regarding the remaining deadlines in this matter on or before June 11, 2019.

WHEREFORE, the parties respectfully request that the Court issue a sixty day stay of these proceedings until June 11, 2019.

Dated: April 12, 2019

Respectfully submitted,

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Attorneys for Plaintiff

IT IS SO ORDERED this _____ day of _____, 2019.

Hon. Denise J. Casper, U.S.D.J.

Certificate of Service

I certify that this document was served on all counsel of record through the Court's CM/ECF system.

/s/ Robert Frederickson III
Robert Frederickson III